

as President of the Tuscaloosa Bar Association. His family worshiped at United Methodist Church in Alberta.

We have in recent years heard reference to "the Greatest Generation." Many of us have friends and relatives who have served our country and earned the right to wear that mantle. However, I know of few men who lived every day of their lives with the valor, courage, and love of country with which Jim Turner lived his entire life.

Our country has lost a good man and great lawyer, a devoted husband and father, a proud Marine and a loyal American. Words cannot express the respect I have for Jim Turner, nor can they express the sorrow my family and our community feels since this loss.●

#### TRIBUTE TO MORTIMER CAPLIN

● Mr. WARNER. Mr. President, I rise today to honor a man whose lifetime record of achievement and service is the embodiment of the best of America. My friend, Mortimer Caplin, has for 6½ decades honorably served his Nation, his community, and our beloved University of Virginia, amassing an exemplary record of accomplishment of the highest order. I ask unanimous consent that the following remarks made by Robert E. Scott, Dean of the University of Virginia Law School, be printed in the RECORD. These remarks are part of a speech Dean Scott made during the presentation to Mr. Caplin of The Thomas Jefferson Foundation Medal in Law, the University of Virginia's highest honor.

REMARKS OF DEAN ROBERT E. SCOTT UPON THE PRESENTATION OF THE THOMAS JEFFERSON FOUNDATION MEDAL IN LAW TO MORTIMER M. CAPLIN, APRIL 12, 2001

MR. PRESIDENT, MR. RECTOR, AND DISTINGUISHED GUESTS: Today is the 10th, and last time I will stand in this glorious space and introduce a recipient of the Jefferson Medal in Law. None of the prior occasions have given me as much joy and pleasure as the duty I discharge today. It is my great honor to present Mortimer M. Caplin, the 2001 recipient of the Thomas Jefferson Foundation Medal in Law. Mortimer Caplin represents the very best of the University's aspirations for its own. Some people gain distinction by happenstance, by being in the right place and the right time and then rising to the occasion. Mortimer Caplin's reputation rests on a lifetime of achievement. Throughout the nearly seven decades that he has been associated with the University, he has exemplified a singular constancy of excellence. At every step of the way he has shown how talent, courage, persistence and a commitment to service can combine to inspire and transform us. These are exactly the qualities that Mr. Jefferson exemplified in his own life and wanted his University to embody.

Mortimer Caplin was born in New York in 1916. He came to Charlottesville in 1933, graduating from the college in 1937 and the Law School in 1940. As an undergraduate, he not only earned the highest academic honors but excelled at what the University then regarded as the most estimable athletic endeavor its students could undertake, intercollegiate boxing. At the Law School, he displayed the same pattern of remarkable success. He was elected editor-in-chief of the

Law Review and went on to serve as law clerk for Judge Armistead Dobie, a former Dean of the Law School who by tradition chose the most outstanding graduate of each class as his assistant.

Mort had barely begun his career as a New York lawyer when World War II broke out. In anticipation of the conflict, he already had enlisted in the Navy and took up his commission shortly after Pearl Harbor. Eager for active duty, he requested a transfer out of the stateside intelligence work that was his first assignment. The Navy responded by making him a beachmaster on Omaha Beach during the Normandy invasion. Facing enemy fire, Mort had to make hard choices quickly to ensure that supplies and reinforcements kept coming. When the occasion required it, he used creativity and imagination to cut through bureaucratic impediments to achieving his essential mission. Thus, when a ship's captain refused to beach his vessel at a time when the ammunition it carried was in short supply along the front and no other method of delivering its cargo presented itself, Mort invented a two-star general whose imaginary order got the job done.

Mort Caplin returned from the war to New York, but not many years later heard the University's call and answered, joining the Law faculty in 1950. For over a decade he taught federal taxation and constitutional law. During this time he produced important scholarship and excelled in the classroom. Perhaps equally important was the leadership role Mortimer Caplin played at the University and in the Charlottesville community. In 1950 Mort led the Law faculty in its unanimous decision to admit Gregory Swanson to the Law School, the first African-American to enroll at the University. Subsequently, Mort was a central figure in organizing the efforts of the Charlottesville community to circumvent the "massive resistance" campaign that Virginia's political leaders had launched at the Supreme Court's desegregation mandate. Mort, along with other law faculty and their spouses worked unceasingly to ensure that neither children nor civil rights suffered during this dark time in Virginia's history.

A brilliant and popular professor, Mort Caplin dazzled his students. One who was especially impressed was Robert F. Kennedy, the younger brother of a rising star in the Democratic Party. Several years later, after that rising star had become the President of the United States, John F. Kennedy appointed his brother's former tax professor as United States Commissioner of Internal Revenue. Mort accepted this challenge with his characteristic energy and good judgment. He led that critically important, at times unpopular agency for three years, at a time of significant changes in the United States economy and the tax system. At the end of his term, the Treasury Department granted him the Alexander Hamilton award, the highest possible honor that institution can bestow.

Having traveled to Washington, Mort chose to stay. He recognized the need for a first-rate law firm specializing in tax practice and, with Douglas Drysdale, another Virginia alumnus, founded Caplin & Drysdale.

Shortly after establishing his law firm, Mort resumed his teaching at the Law School. For more than twenty years he taught advanced courses emphasizing the interplay of tax law and practice. For many students at Virginia, tax law with Mortimer Caplin became a springboard for a career both as public servants and as practitioners in the nation's elite law firms. Mort consistently emphasized the importance of a lawyer's independence and judgment, and preached the central obligation of advancing

the public interest while serving one's clients. He sought to lead his students to a life in law that would ennoble and dignify the person living it.

During this time of building a prestigious law firm and extending a teaching career, Mort Caplin still found time for significant service to the bar and the general public. He served as President of the Indigent Civil Litigation Fund and on the executive committee of the Washington Lawyers Committee for Civil Rights under Law, on numerous significant committees of the American Bar Association, and various charitable organizations. His service as a trustee of the Law School foundation in particular provided great vision and support during a period of change and growth. In recognition of this service, Mort collected a remarkable number of awards and distinctions, honorary degrees and other testimonials to his generosity and accomplishments.

In 1988, at the age of 72, Mort Caplin became a Professor Emeritus of the University. This simply opened a new phase in his astonishing career of service and dedication to this University and to the profession. Still to come was a five-year term on the University's Board of Visitors and exemplary service to the Law School as chair of the executive committee of our recently concluded capital campaign. When we began the Law School campaign in July 1992, the first person I went to see was Mortimer Caplin. When I asked whether he would lead what would become an eight-year fundraising effort, Mort replied simply, "I'll do it." True to his word, he did. By dint of his example and leadership, the Law School recently concluded the most successful campaign in the history of American legal education.

Mort Caplin remains to this day a central figure in the governance of the Law School and its guidance into the twenty-first century. He has been a driving force behind the Law School's commitment to a broad public vision, as reflected in our decision to dedicate our Public Service Center in his honor. He, in turn, has honored, elevated, and enriched us along every possible dimension.

Mr. President, Mortimer Caplin comes to us today as the embodiment of what Mr. Jefferson envisioned as the best that we Americans have within us. He has lived a life in law as a high calling, one dedicated to advancement of knowledge, service to the nation, husbanding the great resources with which we have been endowed and ensuring that all Americans can take part in our great national banquet and enjoy the opportunities that life in America presents. On behalf of the School of Law and the selection committee, it is my privilege to introduce Mortimer M. Caplin as the 2001 recipient of the Thomas Jefferson Foundation Medal in Law.●

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2802. A communication from the Director of the Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Disclosure and Amendment of Records Pertaining to Individuals Under the Privacy Act" received on June 26, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2803. A communication from the Director of the Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the

report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" received on June 26, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2804. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Congressional and Intergovernmental Affairs, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2805. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Policy, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2806. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination and a nomination confirmed for the position of Assistant Secretary for Administration and Management, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2807. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer for the position of Chief Financial Officer, EX-IV, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2808. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy in the position of Wage Hour Administrator, EX-V, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2809. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for PWBA, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2810. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Secretary for Congressional and Intergovernmental Affairs, EX-IV, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2811. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Secretary for Policy, EX-IV, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2812. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for VETS, EX-IV, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2813. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, trans-

mitting, pursuant to law, the report of a vacancy in the position of Director of the Women's Bureau, SL-8, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2814. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Employment and Training Administration, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2815. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer for the position of Solicitor of Labor, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2816. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer for the position of Secretary of Labor, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2817. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer for the position of Assistant Secretary, Occupational Safety and Health Administration, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2818. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer for the position of Assistant Secretary, Employment Standards Administration, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2819. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination for the position of Deputy Secretary of Labor, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2820. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination for the position of Solicitor of Labor, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2821. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination and a nomination confirmed for the position of Director of the Women's Bureau, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2822. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination and a nomination confirmed for the position of Assistant Secretary for Mine Safety and Health, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2823. A communication from the Acting Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination and a nomination confirmed for the position of Assistant Secretary for Pen-

sion and Welfare Benefits Administration, received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2824. A communication from the Secretary of Health and Human Services, transmitting, a report entitled "Protections for Children in Research"; to the Committee on Health, Education, Labor, and Pensions.

EC-2825. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Secondary Direct Food Additives Permitted in Food for Human Consumption" (Doc. No. 00F-1488) received on June 27, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2826. A communication from the Associate Solicitor for Legislation and Legal Counsel, Department of Labor, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of the Occupational Safety and Health Administration, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2827. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Secretary of Labor, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2828. A communication from the Associate Solicitor for Legislation and Legal Counsel, Department of Labor, transmitting, pursuant to law, the report of the designation of acting officer for the position of Assistant Secretary for Public Affairs, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2829. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of the designation of acting officer for the position of Solicitor of Labor, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2830. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Solicitor of Labor, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2831. A communication from the Acting Assistant General Counsel for Regulations, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Federal Family Education Loan Program and William D. Ford Federal Direct Loan Program" received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2832. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Requirements for Testing Human Blood Donors for Evidence of Infection Due to Communicable Disease Agents" (Doc. No. 98N-0581) received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2833. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "General Requirements for Blood, Blood Components, and Blood Derivatives; Donor Notification" (Doc. No. 98N-0607) received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2834. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Tobacco Control Activities in the United States, 1994-1999"; to the Committee on Health, Education, Labor, and Pensions.

EC-2835. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Secretary of Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2836. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Deputy Secretary of Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2837. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2838. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Chief Financial Officer, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2839. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Intergovernmental and Interagency Affairs, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2840. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office for Civil Rights, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2841. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Elementary and Secondary Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2842. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Legislation and Congressional Affairs, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2843. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of General Counsel, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2844. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Special Education and Rehabilitative Services, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2845. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Commissioner of Rehabilitative Services Administration, Office of Special Education and Rehabilitative Services, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2846. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Postsecondary Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2847. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary of the Office of Educational Research and Improvement, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2848. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Commissioner of Education Statistics, Office of Educational Research and Improvement, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2849. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Vocational and Adult Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2850. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Management, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2851. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Secretary of Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2852. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Deputy Secretary of Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2853. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Under Secretary, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2854. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary, Office of Intergovernmental and Interagency Affairs, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2855. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary, Office of Elementary and Secondary Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2856. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary, Office of Legislation and Congressional Affairs, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2857. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of General Counsel, received on June 28, 2001; to the

Committee on Health, Education, Labor, and Pensions.

EC-2858. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary, Office of Educational Research and Improvement, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2859. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination confirmed for the position of Secretary of Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2860. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a nomination confirmed for the position of Deputy Secretary of Education, received on June 28, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2861. A communication from the Acting Director of the United States Office of Personnel Management, transmitting, pursuant to law, the report of a vacancy in the position of Deputy Director, received on June 28, 2001; to the Committee on Governmental Affairs.

EC-2862. A communication from the Acting Director of the United States Office of Personnel Management, transmitting, pursuant to law, the report of a nomination for the position of Director, received on June 28, 2001; to the Committee on Governmental Affairs.

EC-2863. A communication from the Chairman of the Board of Directors of the Corporation for Public Broadcasting, transmitting, pursuant to law, the report of the Office of the Inspector General for the period beginning October 1, 2000 through March 31, 2001; to the Committee on Governmental Affairs.

EC-2864. A communication from the Executive Director of the Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting, pursuant to law, the report of additions to the procurement list, received on June 28, 2001; to the Committee on Governmental Affairs.

EC-2865. A communication from the Acting Commissioner of Social Security, transmitting, pursuant to law, the report of the Office of the Inspector General for the period beginning October 1, 2000 through March 31, 2001; to the Committee on Governmental Affairs.

EC-2866. A communication from the Inspector General of the Federal Housing Finance Board, transmitting, pursuant to law, the report of the Office of the Inspector General for the period beginning October 1, 2000 through March 31, 2001; to the Committee on Governmental Affairs.

EC-2867. A communication from the Chairman of the United States Merit Systems Protection Board, transmitting, pursuant to law, the Annual Report for Fiscal Year 2000; to the Committee on Governmental Affairs.

EC-2868. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities and National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities" (FRL6997-9) received on June 21, 2001; to the Committee on Environment and Public Works.

EC-2869. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "NESHAP: Standards for Hazardous

Air Pollutants for Hazardous Waste" (FRL7001-8) received on June 21, 2001; to the Committee on Environment and Public Works.

EC-2870. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; New Source Review Revision" (FRL6999-6) received on June 27, 2001; to the Committee on Environment and Public Works.

EC-2871. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Section 112(l) Authority for Hazardous Air Pollutants; Chemical Accident Prevention; Risk Management Plans; New Jersey Department of Environmental Protection" (FRL6996-7) received on June 27, 2001; to the Committee on Environment and Public Works.

EC-2872. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "OMB Approvals Under the Paperwork Reduction Act; Technical Amendment" (FRL6771-7) received on June 27, 2001; to the Committee on Environment and Public Works.

EC-2873. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for Colorado; Long-Term Strategy of State Implementation Plan for Class I Visibility Protection; Craig Station Requirements" (FRL7005-8) received on June 28, 2001; to the Committee on Environment and Public Works.

EC-2874. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to law, a report relative to the Commonwealth of Massachusetts; to the Committee on Environment and Public Works.

EC-2875. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-2876. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Attorney General, Antitrust Division, received on July 9, 2001; to the Committee on the Judiciary.

EC-2877. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer for the position of Director, Federal Bureau of Investigations, received on July 9, 2001; to the Committee on the Judiciary.

EC-2878. A communication from the Director of the Office of Regulations Management, Board of Veterans' Appeals, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Board of Veterans' Appeals: Rules of Practice—Effect of Procedural Defects in Motions for Revision of Decisions on the Grounds of Clear and Unmistakable Error" (RIN2900-AK74) received on June 11, 2001; to the Committee on Veterans' Affairs.

EC-2879. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule

entitled "Notice 2001-43" (OGI-124010-01) received on July 2, 2001; to the Committee on Finance.

EC-2880. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Secondary Direct Food Additives Permitted in Food for Human Consumption" (Doc. No. 00F-1482) received on July 5, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2881. A communication from the Congressional Review Coordinator, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Gypsy Moth Generally Infested Areas" (Doc. No. 01-049-1) received on July 5, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2882. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Tolerances for Emergency Exemptions (Multiple Chemicals)" (FRL6793-8) received on July 11, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2883. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "National Flood Insurance Program; Clarification of Letter of Map Amendment Determinations" (RIN3067-AD19) received on July 5, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2884. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (Doc. No. FEMA-B-7415) received on July 5, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2885. A communication from the Assistant Secretary for Export Administration, Bureau of Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Exports of Agricultural Commodities, Medicines and Medical Devices" (RIN0694-AC37) received on July 10, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2886. A communication from the Chairman of the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, the District of Columbia Budget for Fiscal Year 2002 and the Financial Plans for Fiscal Years 2002-2005; to the Committee on Governmental Affairs.

EC-2887. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Comparative Analysis of Actual Cash Collections to Revenue Estimates for the 2nd Quarter of Fiscal Year 2001"; to the Committee on Governmental Affairs.

EC-2888. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Disaster Assistance Debris Removal" (RIN3067-AD08) received on July 5, 2001; to the Committee on Environment and Public Works.

EC-2889. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Joaquin Valley Unified Air Pollution District" (FRL6995-7) received on July 5, 2001; to the

Committee on Environment and Public Works.

EC-2890. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the California State Implementation Plan, Bay Area Air Quality Management District, El Dorado County Air Pollution Control District" (FRL7005-1) received on July 5, 2001; to the Committee on Environment and Public Works.

EC-2891. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plan for Texas: Transportation Control Measures Rule" (FRL7010-9) received on July 10, 2001; to the Committee on Environment and Public Works.

EC-2892. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans: Alabama: Nitrogen Oxides Budget and Allowance Trading Program" (FRL7012-1) received on July 10, 2001; to the Committee on Environment and Public Works.

EC-2893. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Houston/Galveston Volatile Organic Compound Reasonably Available Control Technology Revision" (FRL7001-6) received on July 10, 2001; to the Committee on Environment and Public Works.

EC-2894. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semiochemical Pulp Mills" (FRL6997-8) received on July 10, 2001; to the Committee on Environment and Public Works.

EC-2895. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuel and Fuel Additives: Reformulated Gasoline Adjustment" (FRL7011-2) received on July 10, 2001; to the Committee on Environment and Public Works.

EC-2896. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Indiana" (FRL7004-1) received on July 13, 2001; to the Committee on Environment and Public Works.

EC-2897. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Request for Reproposals: For the Operation of the Intergrated Atmospheric Deposition Network (IADN)" received on July 13, 2001; to the Committee on Environment and Public Works.

EC-2898. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "SOLICITATION: To Promote the Use of Market Based Mechanisms to Address Environmental Issues—Financial Component" received on July 13, 2001; to the Committee on Environment and Public Works.

EC-2899. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Process for Exempting Quarantine and Preshipment Applications of Methyl Bromide" (FRL7014-5) received on July 13, 2001; to the Committee on Environment and Public Works.

EC-2900. A communication from the Director of the Office of Personnel Policy, Department of the Interior, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary of Indian Affairs, received on July 11, 2001; to the Committee on Indian Affairs.

EC-2901. A communication from the Deputy Assistant Secretary of Indian Affairs (Management), Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "25 CFR Part 11, Law and Order on Indian Reservations" (RIN1076-AE19) received on July 13, 2001; to the Committee on Indian Affairs.

#### REPORTS OF COMMITTEES

Under the authority of the order of the Senate of January 3, 2001, the following reports of committees were submitted on July 13, 2001:

By Mrs. MURRAY, from the Committee on Appropriations, without amendment:

S. 1178: An original bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107-38).

By Mr. REID, from the Committee on Appropriations:

Report to accompany S. 1171, An original bill making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107-39).

By Mr. BYRD, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2002." (Rept. No. 107-40).

#### REPORTS OF COMMITTEES RECEIVED DURING RECESS

The following reports of committees were submitted on July 16, 2001:

By Mr. BIDEN, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 180: A bill to facilitate famine relief efforts and a comprehensive solution to the war in Sudan.

S. 494: A bill to provide for a transition to democracy and to promote economic recovery in Zimbabwe.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. JOHNSON (for himself and Mr. CRAIG):

S. 1179. A bill to amend the Richard B. Russell National School Lunch Act to ensure an adequate level of commodity purchases under the school lunch program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. EDWARDS:

S. 1180. A bill to direct the Secretary of the Interior to study the suitability and feasi-

bility of designating the International Civil Rights Center and Museum in the State of North Carolina as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LUGAR (for himself and Mr. BAYH):

S. 1181. A bill to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the "Elwood Haynes "Bud" Hillis Post Office Building"; to the Committee on Governmental Affairs.

By Mr. HOLLINGS:

S. 1182. A bill to direct the Secretary of the Army to lease land at the Richard B. Russell Dam and Lake Project, South Carolina, to the South Carolina Department of Commerce, and for other purposes; to the Committee on Environment and Public Works.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 1183. A bill to authorize the modification of a pump station intake structure and discharge line of the Fort Fairfield, Maine, flood control project at full Federal expense; to the Committee on Environment and Public Works.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. Res. 134. A resolution authorizing that the Senate office of Senator John D. Rockefeller IV be used to collect donations of clothing from July 13, 2001, until July 20, 2001, from concerned Members of Congress and staff to assist the West Virginia families suffering from the recent disaster of flooding and storms; considered and agreed to.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS, THURSDAY, JULY 12, 2001

By Mr. VOINOVICH (for himself and Mr. CARPER):

S. 1176. A bill to strengthen research conducted by the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

Mr. VOINOVICH. Mr. President, I rise today to introduce legislation with my friend and colleague, Senator CARPER, which will strengthen the use of science at the Environmental Protection Agency. By improving science at the Agency, we will be improving the framework of our regulatory decisions. It is important that these regulations be effective, not onerous and inefficient. To make government regulations efficient, they must be based on a solid foundation of scientific understanding and data.

Last year, the National Research Council released a report, "Strengthening Science at the U.S. Environmental Protection Agency: Research Management and Peer Review Practices" which outlined current practices at the EPA and made recommendations for improving science within the agency. The bill we are introducing today, the "Environmental Research En-

hancement Act," builds on the NRC report.

When the Environmental Protection Agency was created in 1970 by President Nixon, its mission was set to protect human health and safeguard the environment. In the 1960s, it had become increasingly clear that "we needed to know more about the total environment—land, water, and air." The EPA was part of President Nixon's reorganizational efforts to effectively ensure the protection, development and enhancement of the total environment.

For the EPA to reach this mission, establishing rules and priorities for clean land, air and water require a fundamental understanding of the science behind the real and potential threats to public health and the environment. Unfortunately, many institutions, citizens and groups believe that science has not always played a significant role in the decision-making process at the EPA.

In NRC's report last year, it was concluded that, while the use of sound science is one of the Environmental Protection Agency's goals, the EPA needs to change its current structure to allow science to play a more significant role in decisions made by the Administrator.

The legislation we are introducing today looks to address those shortcomings at the EPA by implementing portions of the report that require congressional authorization.

Under our bill, a new position, Deputy Administrator for Science and Technology will be established at the EPA. This individual will oversee the Office of Research and Development; the Environmental Information Agency; the Science Advisory board; the Science Policy Council; and the scientific and technical activities in the regulatory program at the EPA. This new position is equal in rank to the current Deputy Administrator and would report directly to the Administrator. The new Deputy would be responsible for coordinating scientific research and application between the scientific and regulatory arms of the Agency. This will ensure that sound science is the basis for regulatory decisions. The new Deputy's focus on science could also change how environmental decisions are made.

Additionally, the Assistant Administrator for Research and Development, currently the top science job at the EPA, will be appointed for 6 years versus the current 4 years political appointment. Historically, this position is recognized to be one of the EPA's weakest and most transient administrative positions according to NRC's report, even though in my view, the position addresses some of the Agency's more important topics. By lengthening the term of this Assistant Administrator position and removing it from the realm of politics, I believe there will be more continuity in the scientific work of the Agency across administrations and allow the Assistant